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Illinois Department of Human Services Moves to Implement Rule on Overtime Policy

SPRINGFIELD -- The Illinois Department of Human Services (IDHS) will publish a proposed rule to govern overtime in the Home Services Program. The Home Services Program pays providers to care for our customers with disabilities where our customers reside.

The overtime policy is designed to achieve two goals, to improve services to our most vulnerable while reducing costs to taxpayers, ensuring the long-term sustainability of the program. Evidence shows that the policy has driven great progress toward both goals.

For example:

- The number of individuals providing services to our most vulnerable have increased from about 32,000 to more than 35,000.
- The amount of money paid in overtime has decreased each month. From January until May of 2016 the amount of overtime payments has been cut nearly in half.
- It has increased much-needed community capacity for the Home Services Program, which enables those in need to continue to receive necessary services at home instead of being institutionalized.

The Illinois Department of Human Services (IDHS) has decided to go through the rule-making process under the Administrative Procedure Act following a recent court decision directing the successful overtime policy be implemented by rule rather than policy.

On July 21, 2016, Kane County Circuit Court entered a temporary restraining order barring the enforcement of the overtime policy until it has gone through the rule-making process. While DHS respectfully disagrees with the Court, DHS will abide by the order and looks forward to the rule-making process where we will have the opportunity to show the positive benefits of the policy and work with all parties involved. The rule-making process allows the Department to hear from all parties before issuing the final rule.

IDHS believes the final rule will closely track the policy as it was originally announced. IDHS would like to thank those customers and providers who have worked hard to follow the overtime policy. IDHS strongly encourages all providers and customers to take the necessary steps now to hire enough providers to avoid unnecessary overtime so they will be prepared when the final rule goes into effect. IDHS employees are happy to help our customers find and hire additional providers.

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